

REMARKS

This application has been carefully reviewed in light of the Office Action dated January 28, 2011. Claims 1 to 3, 6 to 12, and 15 to 17 are in the application, of which Claim 1 is the sole independent claim. Reconsideration and further examination are respectfully requested.

Claim 1 was rejected under 35 U.S.C. § 103(a) over Japan 11-143139 (Hideki, for which the USPTO provided an updated translation generated by a machine) in view of U.S. Patent 6,019,532 (Harris) and U.S. Application Publication 2003/0002908 (Hirabayashi). Claims 2, 3, 6 to 12 and 15 to 17 were rejected further in view of Japan 2002-220122 (Kazuyuki, for which the USPTO provided an updated translation generated by a machine). The rejections are respectfully traversed, for the reason that in entering the rejection, the Office misinterpreted the scope of the claims.

Two examples of misinterpretation are given here. In the first example, the Office acted on claim language which is not currently part of the claim, and which was deleted in an Amendment dated August 13, 2009. In the second example, the Office incorrectly parsed the claim language so as to infer movement of the wrong element, namely, to infer movement of the interlocking mechanism rather than the regulating portion. Both of these examples are explained in greater detail below.

With respect to the first example, in rejecting Claim 1, page 3 of the Office Action asserts that Hideki discloses the following:

“a regulating portion, provided between said separation portion and said feeding means (Figure 1, item 14, and also known as the stopper claw) and being movable between a regulating position in which said regulating member regulates movement of the sheet between said sheet supporting portion said separating portion and retracted position in which said regulating member does not hamper the feeding of the sheet. (also see [0015]); a link member (42a and 40 the combination) positioned to regular

an edge of the sheet placed on the sheet supporting portion, as disclosed in [0057]-[0059], and exhibited in figures 3 and 5;”

The language of rejected Claim 1, however, no longer specifies that the regulating portion is movable between a regulating position and a retracted position, and no longer specifies that in the retracted position the regulating portion does not hamper the feeding of a sheet. Such language was deleted from Claim 1, in an Amendment dated August 13, 2009. The pertinent language of rejected Claim 1 actually reads as follows:

“a regulating portion positioned to regulate an edge of the sheet placed on said sheet supporting portion, said regulating portion being movably mounted on the openable and closeable cover”

Thus, in this first example, the Office has misconstrued the scope of Claim 1, since it acts on language no longer found in Claim 1, and does not address language which is actually found in Claim 1.

In the second example, the Office has incorrectly parsed the language of rejected Claim 1 so as to require movement, in a retracting direction, of the wrong element. Specifically, according to the rejection, the Office believes that the claim requires movement of the interlocking mechanism in the retracting direction. It is clear, however, that the actual language of Claim 1 requires movement of the regulating portion. Shown below is a side-by-side comparison of the actual language of rejected Claim 1 relative to the rejection of Claim 1 as found on page 3 of the Office Action:

| Office Action | Claim 1 |
|--|---|
| <p>However, Hideki fails to explicitly disclose wherein an interlocking mechanism is used to interlock the regulating portion with an opening operation of the cover wherein when the cover is opened, said regulating portion mounted on the cover is moved relative to the cover and <i>that the interlocking mechanism move</i> in a retracting direction from the feeding path in association with the opening operation of the cover.</p> | <p>an interlocking mechanism configured to interlock the regulating portion with an opening operation of the cover <i>so that said regulating portion is moved</i> relative to the cover in a retracting direction from the feeding path in association with the opening operation of the cover</p> |

Thus, in this second example, the Office misconstrued the scope of the claim because it incorrectly parsed the claim to require movement of the wrong element.

The claims herein have been amended in an attempt to avoid similar misconstructions of the claims in future Office Actions. Specifically, Claim 1 recites the feature of an interlocking mechanism configured to interlock a regulating portion with an opening operation of the cover. According to the amendments of Claim 1, the regulating portion is upwardly retracted above a guide member which forms part of the cover in association with an opening operation of the cover.

By virtue of the claimed arrangement, an advantageous effect is obtained in situations where a jammed sheet is to be cleared. This advantageous effect is described in the specification, such as at page 31, lines 22 to 27. In particular, when a jammed sheet is to be cleared, the regulating portion does not protrude under the guide member, so that the regulating member is prevented from being caught by the sheet, to thereby hamper the pulling-out of the sheet.

The art applied against the claims, even when considered in combination, is not seen to disclose or to suggest the claimed arrangement. Accordingly, it is respectfully submitted that the claimed arrangement would not have been obvious to those of ordinary skill in the art.

REQUEST FOR INTERVIEW

This is a written request for a telephone interview with the Examiner,
pursuant to MPEP § 713.01:

"Where the reply to a first complete action includes a request for an interview, a telephone consultation to be initiated by the examiner or a video conference, or where an out-of-town attorney under similar circumstances requests that the examiner defer taking any further action on the case until the attorney's next visit to Washington (provided such visit is not beyond the date when the Office action would normally be given), the examiner, as soon as he or she has considered the effect of the reply, should grant such request if it appears that the interview or consultation would result in expediting the case to a final action."

In view of the above remarks, Applicants submit that the entire application is in condition for allowance. However, if the Examiner does not agree, Applicants respectfully request an interview to discuss the differences between the present invention and the applied art. For his part, the undersigned will also telephone the Examiner in the following weeks in an effort to determine the status of the application, and also to schedule an interview. Accordingly, however, if the Examiner reaches this case for action before an interview has been scheduled, Applicants respectfully request that the Examiner contact the undersigned at (714) 540-8700 for scheduling of an interview.

CONCLUSION

Applicants' undersigned attorney may be reached in our Costa Mesa, California office by telephone at (714) 540-8700. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

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